THE UNITED NATIONS & THE QUESTION OF PALESTINE

UNITED NATIONS

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UNITED NATIONS
NEW YORK 1990

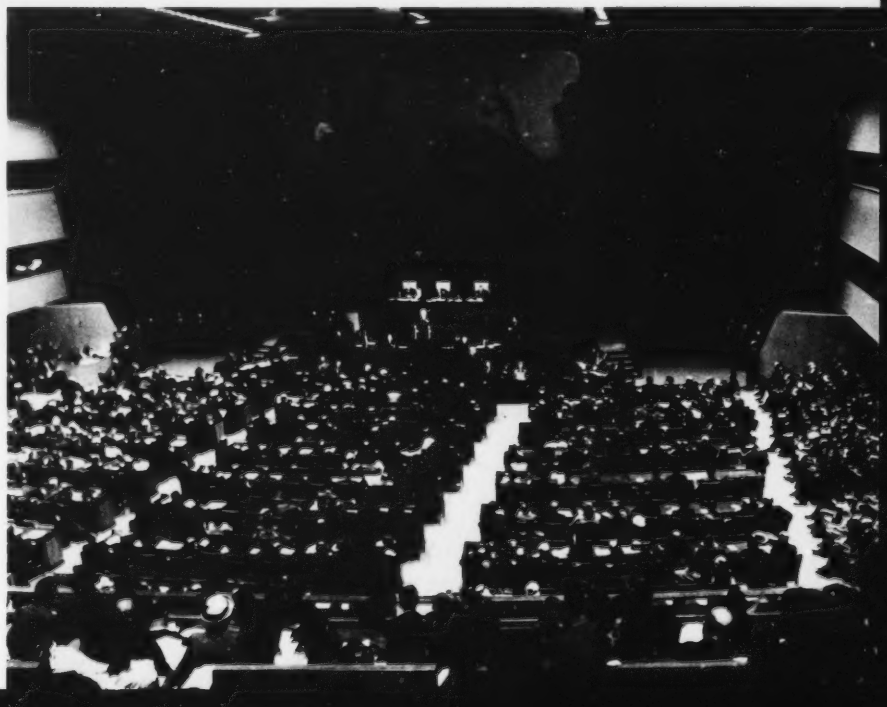
The first special session of the General Assembly was held at Flushing Meadows, New York. It was called for by the United Kingdom, which had administered Palestine under a League of Nations Mandate since 1922. Arab States unsuccessfully tried to include the question of the independence of Palestine in the agenda of the special session.

READEX FICHE

THE QUESTION OF PALESTINE BEFORE THE UNITED NATIONS

In 1945, at the close of the Second World War, Palestine remained a territory administered by the United Kingdom under a mandate received in 1922 from the League of Nations. Among the issues that had to be dealt with by the Mandatory Power was the question of a Jewish home in Palestine. Increasing Jewish immigration to Palestine was strongly opposed by the Arab inhabitants, who in 1947 comprised about two-thirds of the territory's population of two million. Faced with escalating violence, the United Kingdom decided, in April 1947, to bring the question of Palestine before the United Nations. At that time the United Nations, the successor organization to the League, was not yet two years old, its Charter having been signed in San Francisco on 26 June 1945.

The British Government requested that the question of Palestine be considered by the next (second) regular session of the General Assembly. Drawing attention to "the desirability of an early settlement in Palestine", the Government also asked that a special session of the Assembly be called immediately in order to constitute and instruct a special committee to prepare a preliminary study on the question of Palestine for consideration by the Assembly at the regular session.



On 28 April 1947, the General Assembly convened in New York for its first special session to establish a special committee on Palestine. Five Arab countries—Egypt, Iraq, Lebanon, Saudi Arabia and Syria—unsuccessfully tried to include in the special session's agenda an item which would address "the termination of the mandate over Palestine and the declaration of its independence". The Jewish case was presented by the Jewish Agency for Palestine while the Arab Higher Committee spoke for the Palestinian Arabs.

At the special session, the Assembly established the United Nations Special Committee on Palestine (UNSCOP), made up of 11 Member States, to investigate all questions and issues relevant to the problem of Palestine and to recommend solutions to be considered by the regular session in September 1947. During the course of its three-month investigation the Special Committee visited Palestine, Lebanon, Syria and Transjordan and also toured the displaced-persons camps in Europe.

While Jewish organizations co-operated with UNSCOP in its deliberations, the Palestinian leadership in the Arab Higher Committee decided not to participate, on the grounds that the United Nations had refused to address the question of independence and failed to separate the issue of Jewish refugees of Europe from the question of Palestine. The natural rights of the Palestinian Arabs were self-evident and should be recognized, it said, and could not continue to be subject to investigation.

The Jewish leadership maintained before the Special Committee that the issues of a Jewish state in Palestine and unrestricted immigration were inextricably interwoven. The Arabs, represented by the Arab League this time rather than by the Arab Higher Committee, sought the immediate creation of an independent Palestine west of the Jordan River.

The Special Committee completed its work on 31 August 1947, with the members agreeing on the question of terminating the Mandate, the principle of independence and the United Nations role in the possible outcome. However, there was no consensus on a possible settlement of the question of Palestine. The majority in the Committee (Canada, Czechoslovakia, Guatemala, Netherlands, Peru, Sweden and Uruguay) recommended that Palestine be partitioned into an Arab state

and a Jewish state, with a special international status for the city of Jerusalem under the administrative authority of the United Nations. The three entities were to be linked in an economic union. The minority plan, submitted by India, Iran and Yugoslavia, proposed an independent federal structure comprising an Arab state and a Jewish state with Jerusalem as its capital. Australia, the remaining member of UNSCOP, abstained from voting on either plan because it maintained that the recommendations exceeded the Committee's terms of reference.

The eleven members of the Special Committee on Palestine (shown here with two United Nations officials) differed on how to resolve the Palestine problem in the face of growing violence. While three members favoured an independent federal state with Arab and Jewish parts, the majority recommended that Palestine be partitioned.

Chaim Weizmann is seen here speaking before the second regular session of the General Assembly as former president of the Jewish Agency for Palestine. The Jewish Agency, which made represenations for the creation of a Jewish state and for unrestricted immigration, was strongly opposed by the Arab Higher Committee.

THE PLAN OF PARTITION

At its second regular session, after an intense two-month-long debate, the General Assembly on 29 November 1947 adopted *resolution 181 (II)*, approving with minor changes the Plan of Partition with Economic Union as proposed by the majority in the Special Committee. The Partition Plan, a detailed four-part document attached to the resolution, provided for the termination of the Mandate, the progressive withdrawal of British armed forces and the delineation of boundaries between the two states and Jerusalem; it called for the creation of the Arab and Jewish states not later than 1 October 1948. Palestine was divided into eight parts: three were allotted to the Jewish and three to the Arab divisions. The seventh, the town of Jaffa, was to form an Arab enclave within Jewish territory. The international régime for Jerusalem, the eighth division, would be administered by the Trusteeship Council of the United Nations.

The Plan also set out in detail the steps to be taken prior to independence, dealing with citizenship, transit, boundaries, the economic union and a declaration to be made by the provisional government of each proposed state regarding access to holy places and religious and minority rights. By *resolution 181 (II)*, the Assembly also set up the United Nations Palestine Commission to carry out its recommendations and requested the Security Council to take the necessary measures to implement the Partition Plan.

The Jewish Agency accepted the resolution despite its dissatisfaction over such matters as Jewish emigration from Europe and the territorial limits set on the proposed Jewish state. The Plan was not accepted by the Palestinian Arabs and Arab States, on the grounds that it violated the provisions of the United Nations Charter, which gave people the right to decide their own destiny. They said the Assembly had endorsed the Plan under circumstances unworthy of the United Nations and that the Arabs of Palestine would oppose any scheme which provided for the dissection, segregation or partition of their country, or which gave special and preferential rights and status to a minority.

Palestinian children fleeing violence in the town of Jaffa, which would have formed an Arab enclave within Jewish territory under the Partition Plan. Three-quarters of a million Palestinians fled their homes in the fighting that accompanied the creation of Israel.

END OF THE BRITISH MANDATE

The adoption of *resolution 181 (II)* was followed by outbreaks of violence in the area. As the situation deteriorated, the Security Council called for the second special session of the General Assembly, which met from 16 April to 14 May 1948. On 17 April, the Security Council called for the cessation of all military and paramilitary activities in Palestine, and on 23 April it established a Truce Commission to supervise and help bring about a cease-fire. For its part, the General Assembly relieved the Palestine Commission of its responsibilities and decided to appoint a mediator charged with promoting a peaceful settlement in co-operation with the Truce Commission. On 20 May, Count Folke Bernadotte, President of the Swedish Red Cross, was chosen United Nations Mediator.

On 14 May 1948, the United Kingdom relinquished its Mandate over Palestine and disengaged its forces. On the same day, the Jewish Agency proclaimed the establishment of the State of Israel on the territory allotted to it by the Partition Plan. Fierce hostilities immediately broke out between the Arab and Jewish communities. Regular troops of the neighbouring Arab States entered the territory the next day to assist Palestinian Arabs.

The fighting was halted after several weeks through a four-week truce called for by the Security Council on 29 May. The truce went into effect on 11 June and was supervised by the United Nations Mediator with the assistance of a group of international military observers which came to be known as the United Nations Truce Supervision Organization (UNTSO). Despite the efforts of the Mediator, no agreement could be reached on an extension of the truce and fighting broke out again on 9 July.

On 15 July 1948, the Council decided in a resolution that the situation in Palestine constituted a threat to the peace. Invoking Chapter VII of the Charter, it ordered a cease-fire and declared that failure to comply would be construed as a breach of the peace requiring the immediate consideration of enforcement measures under the Charter. In accordance with the resolution, the second truce came into force. By that time, Israel controlled much of the territory allotted to the Arab state by the Partition Resolution, including the western part of Jerusalem. Egypt and Jordan respectively administered the remaining portions of Gaza and the West Bank of the Jordan River (which included East Jerusalem, or the Old City). In 1950, Jordan brought the West Bank (and East Jerusalem) formally under its jurisdiction.

While still in the middle of negotiations between the parties, Count Bernadotte was shot and killed on 17 September 1948 in the Israeli-held sector of Jerusalem. Ralph Bunche of the United States was appointed as Acting Mediator.

On 11 May 1949, Israel became a member of the United Nations. In admitting Israel, the General Assembly specifically took note of Israel's declarations and explanations made earlier to the Assembly's *Ad Hoc* Political Committee regarding the implementation of *resolutions 181 (II)* and *194 (III)*. Those declarations and explanations referred to, among other things, the international régime contemplated for Jerusalem, the problem of Arab refugees and boundary questions.

MAP NO. 3067 UNITED NATIONS
SEPTEMBER 1979

If fully implemented, the Partition Plan would have created an Arab state and a Jewish state in a divided Palestine, with an international regime for Jerusalem. By the time the fighting subsided in July 1948, Israel controlled a significant part of the land allotted to the Arab state, while Egypt and Jordan administered the remaining territory.

RESOLUTION 194 (III)

At its third regular session, on 11 December 1948, the General Assembly adopted *resolution 194 (III)*, which delineated the way to resolve the Palestine problem. Following suggestions contained in a report prepared by Count Bernadotte before his death, the Assembly declared that refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that those choosing not to return should be compensated for their property. It called for the demilitarization and internationalization of Jerusalem and for the protection of, and free access to, the holy places in Palestine.

Resolution 194 (III) also provided for the establishment of a three-member United Nations Conciliation Commission for Palestine, which was to assume the functions of the United Nations Mediator in so far as it considered necessary. It was instructed to assist the concerned parties in achieving a final settlement on all outstanding questions and to facilitate the refugees' repatriation, resettlement and economic and social rehabilitation. The Assembly subsequently named France, Turkey and the United States to the Commission.

The Conciliation Commission tried to resolve three major issues involving the territories, the refugees and the status of Jerusalem. Through separate talks with the Arab States (Egypt, Jordan, Lebanon and Syria) and Israel at a conference in Lausanne in April 1949, it obtained a protocol signed separately by each side agreeing to use the boundaries established in the Partition Resolution as a basis for discussion. However, the 1949 session of the Commission ended inconclusively, with the Arab States pressing for the refugees to be returned as a first step and Israel insisting on the territorial question being given priority. Subsequent efforts by the Commission to secure the return of the Palestinians and establish an international régime for Jerusalem were also unsuccessful. Since 1958, it has tried to secure the release of Arab refugee bank accounts which are blocked in Israel and to identify and maintain lists of Arab refugee property.

In periodic reports submitted to the General Assembly since 1951, the Commission, whose mandate has been re-

newed annually, has repeatedly drawn attention to the failure of the parties to implement *resolution 194 (III)*. The provisions of that resolution on the special status of Jerusalem and the right of Palestinian refugees to return have been reasserted by the Assembly virtually every year since 1948.

Between February and July 1949, under the auspices of the Acting Mediator, separate armistice agreements were signed between Israel, on the one hand, and Egypt, Jordan, Lebanon and Syria on the other. The agreements, which were similar in general content, accepted the establishment of the armistice as an indispensable step towards the restoration of peace in Palestine. They also made clear that the purpose of the armistice was not to establish or recognize any territorial, custodial or other rights, claims or interests of any party.

In August of 1949, the Security Council commended Acting Mediator Bunche for his efforts in bringing about the armistice. It decided that he had discharged all his assigned functions and relieved him of further responsibilities under Council resolutions. It also called for UNTSO observers to supervise the armistice. Today, UNTSO observers remain stationed in the Middle East in accordance with Council decisions and they report to it whenever the need arises.

Tented camps, such as Nahr el-Bared in north Lebanon, were hastily put up to accomodate the refugee influx. In the mid-1950s, tents gave way to mud and cement structures. Meanwhile, the General Assembly appealed for the repatriation of the refugees and compensation to those choosing to stay away.

THE 1967 WAR AND *RESOLUTION 242*

The Arab-Israeli dispute simmered throughout the 1950s. Egypt nationalized the Suez Canal on 26 July 1956. On 29 October, Israel began military operations against Egypt and was subsequently joined by France and the United Kingdom. The crisis ended with a cease-fire called for by the General Assembly, the withdrawal of the invading forces and the deployment of the Organization's first peace-keeping force, the United Nations Emergency Force (UNEF-I). The Force was composed of personnel drawn from Member States. An uneasy peace was maintained until 1967, when a turning point was reached in Middle Eastern affairs.

UNEF-I was withdrawn in May 1967 at the request of Egypt, which had informed the Secretary-General that it would no longer consent to the stationing of the Force in Egyptian territory and in Gaza. Hostilities began on 5 June 1967 between Israel and Egypt, Jordan and Syria. By the time a cease-fire called for by the Security Council took effect, Israel had occupied Egyptian Sinai, the Gaza Strip, the West Bank (including East Jerusalem), and part of the Syrian Golan Heights.

After the cease-fire was secured the Security Council adopted *resolution 237 (1967)* calling upon Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place, and to facilitate the return of the displaced persons. The Governments concerned were asked to scrupulously observe respect for the humanitarian principles governing the protection of civilian persons in time of war contained in the Fourth Geneva Convention of 1949. At its fifth emergency special session, called after the fighting began, the General Assembly called upon Governments and international organizations to extend emergency humanitarian assistance to those affected by the war. The Assembly asked Israel to rescind all measures already taken and to desist from taking further action which would alter the status of Jerusalem.

The 1967 Arab-Israeli war led to another exodus, this time from the occupied territories to neighbouring lands and to new refugee camps. Palestinians are seen here crossing from the West Bank over the demolished Allenby Bridge into Jordan.

Later that same year, on 22 November, the Security Council unanimously adopted *resolution 242 (1967)*, laying down the principles for a peaceful settlement in the Middle East. The resolution stipulated that the establishment of a just and lasting peace should include the application of two principles: "withdrawal of Israeli armed forces from territories occupied in the recent conflict", and "termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force". The resolution also affirmed the territorial inviolability of every State in the region and called for a "just settlement of the refugee problem". It affirmed the necessity to guarantee the freedom of navigation through international waterways in the area.

Egypt and Jordan accepted *resolution 242 (1967)* and demanded Israeli withdrawal from all territories occupied in the 1967 war as a precondition to negotiations. Israel, which also accepted the resolution, stated that the question of withdrawal and refugees could be settled only through direct negotiation with the Arab States and the conclusion of a comprehensive peace treaty. Movement from the cease-fire line could be envisaged only in the framework of a just and lasting peace, it said. Syria rejected the Council action, maintaining that the resolution had subjected the central issue of withdrawal to concessions to be imposed on Arab countries. The Palestine Liberation Organization (PLO) strongly criticized the resolution, which it said reduced the Palestine question to a refugee problem.

The representatives, left to right, of the Soviet Union, United Kingdom and United States in a show of hands in favour of resolution 242 (1967). The Security Council unanimously called for peace on the basis of Israeli withdrawal from "territories occupied in the recent conflict" and the acknowledgement of the right of every State in the area to live in peace within secure and recognized boundaries.

Under the same resolution, the Secretary-General designated Gunnar V. Jarring, then Sweden's Ambassador to the Soviet Union, as his Special Representative for the Middle East, with the task of assisting in efforts to achieve a peaceful settlement. Ambassador Jarring made a series of efforts between 1967 and 1970 to promote an agreement between Egypt, Israel and Jordan on the basis of *resolution 242 (1967)*. In February 1971 he proposed to Egypt and Israel that they give simultaneous and reciprocal commitments subject to the eventual satisfactory determination of all other aspects of a peace settlement. Israel would commit to withdraw its forces from occupied Egyptian territory to the former international boundary between Egypt and the British Mandate of Palestine, while Egypt would simultaneously agree to enter into a peace treaty with Israel on certain explicit understandings in relation to *resolution 242 (1967)*.

In response to the Special Representative's initiative, Egypt indicated that it would accept the specific commitment requested of it and would also be ready to enter into a peace agreement if Israel would give commitments covering its own obligations under *resolution 242 (1967)*, including withdrawal from Sinai and Gaza and bringing about a just settlement of the refugee problem. Israel, for its part, was prepared for meaningful negotiations on all subjects relevant to a peaceful agreement. It would undertake to withdraw from the Israeli-Egyptian cease-fire line to a secure, recognized and agreed boundary to be established in the peace agreement. It would not, however, withdraw to the lines existing prior to June 1967. Despite Ambassador Jarring's efforts, an agreed basis for discussion could not emerge due to fundamental differences between the parties. The talks were continued intermittently until 1973 but proved inconclusive.

In October 1973, war broke out again between Israel on the one hand and Egypt and Syria on the other. Following the war the Security Council set up the second United Nations Emergency Force (UNEF-II) to monitor the disengagement between Egypt and Israel. In May 1974, it organized the United Nations Disengagement Observer Force (UNDOF) to monitor the agreements between Syria and Israel. The Council renewed UNEF-II's mandate periodically until July 1979, when it was allowed to lapse following the conclusion of a peace treaty between Egypt and Israel. UNDOF continues to function on the Golan Heights; in 1989 it had a strength of 1,352, comprising contingents from Austria, Canada, Finland and Poland.

THE STATUS OF JERUSALEM

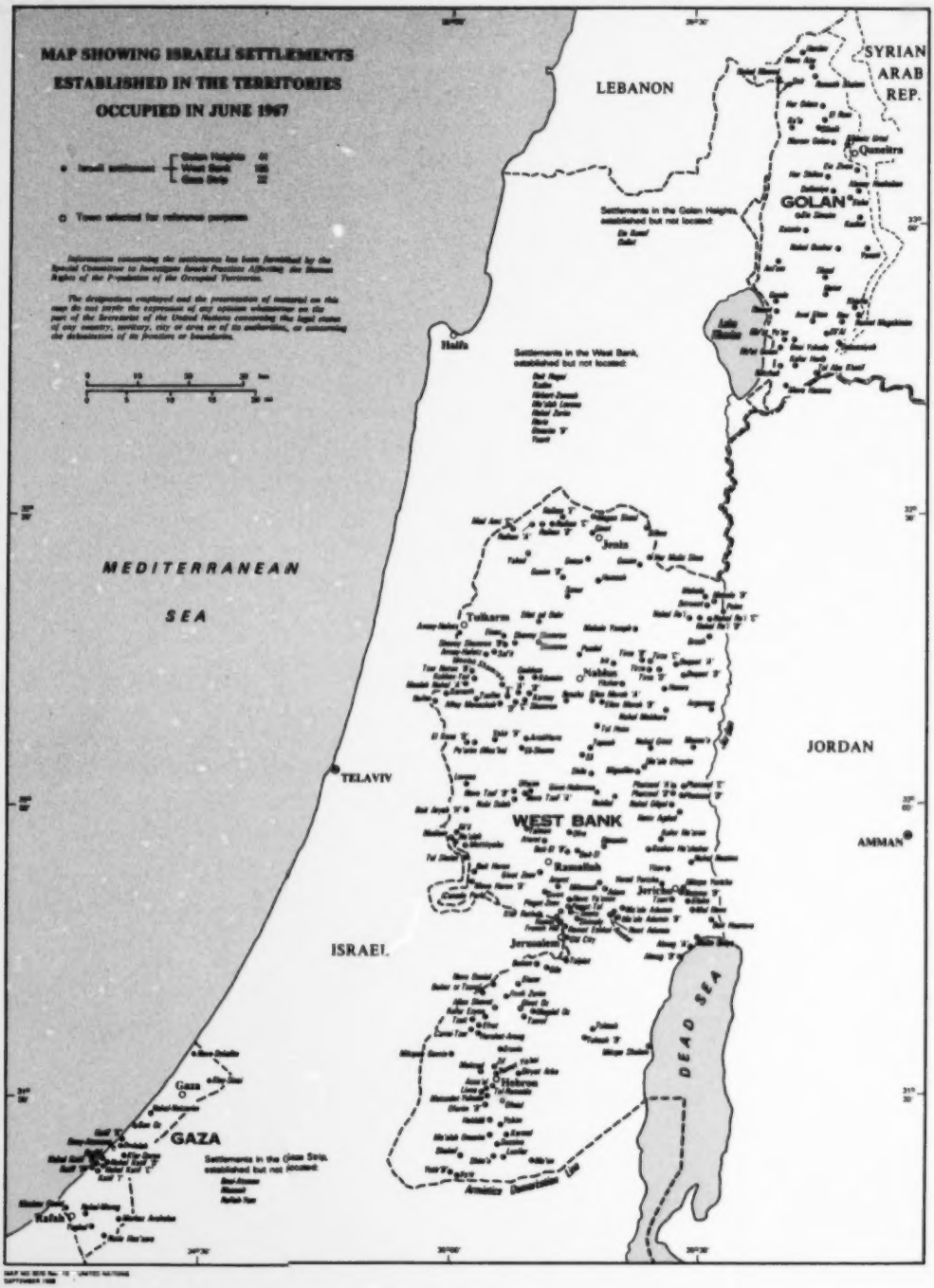
The internationalization of Jerusalem under United Nations administration as called for in the Partition Plan did not come about. During the 1948 fighting, Israel came to occupy half of the city and Jordan the other half. In the renewed hostilities of 1967, Israel extended its occupation over the eastern sector of Jerusalem, in addition to the West Bank, the Gaza Strip, the Sinai and the Golan Heights.

The General Assembly and the Security Council have called upon Israel not to alter the physical, demographic and institutional status of Jerusalem, "Al Quds" to Arabs. Picture shows Israeli soldiers on duty near the Moslem shrine of Masjid al-Sakhra, also known as the Dome of the Rock, seen here against the backdrop of the Old City.
Peter Turnely/Black Star

In view of Israel's occupation of all of Jerusalem, the Assembly at its fifth emergency special session in July 1967 called upon Israel to rescind all measures already taken and to desist from taking any further action which would alter the status of the city. In May 1968, the Security Council noted that since the emergency special session Israel had taken further measures and actions which contravened Assembly resolutions. It asked Israel not to carry out actions which would alter the status of Jerusalem. In later resolutions, it reaffirmed its stand on Jerusalem and deplored the failure of Israel to show any regard for the pertinent Assembly and Council decisions.

On 30 July 1980, the Israeli Parliament passed a "basic law" by which it declared a united Jerusalem to be the capital and official seat of the Israeli head of State, Government, Parliament and High Court of Justice. The Security Council censured Israel for the enactment and declared it null and void. It called upon Member States not to accept the "basic law" and requested those with diplomatic missions in Jerusalem to withdraw them. At its 1980 regular session, the Assembly for its part refused to recognize the "basic law", declaring it a violation of international law. Both the Assembly and the Council urgently called on Israel to reverse its action.

In 1989, once again, the Assembly declared that "Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever".



The General Assembly, the Security Council and other United Nations deliberative bodies have deplored the establishment by Israel of settlements in the occupied territories. The map incorporates information furnished in 1989 by the Special Committee on Israeli Practices concerning settlements established, planned or under construction.

ISRAELI SETTLEMENTS IN THE OCCUPIED TERRITORIES

As early as 1971, there had been growing evidence of an emerging Israeli policy of settling the Palestinian and other Arab territories occupied since 1967. From 1977 on, the pace of establishment of Israeli settlements accelerated. Addressing the issue in March 1979, the Security Council declared that the Israeli policy and practice regarding settlements had "no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East". The Council asked Israel not to take any action which would change the legal status, geographical nature and demographic composition of the Arab territories occupied since 1967. In particular, it asked Israel not to transfer part of its own civilian population into the occupied territories. It established a three-member Security Council Commission (made up of Bolivia, Portugal and Zambia) to examine the situation relating to the Israeli settlements.

In July 1979, the Council strongly deplored Israel for not co-operating with the Commission in preparing its report. Accepting the recommendations contained in that report, the Council stated that the establishment of settlements in the occupied territories had no legal validity and emphasized the need to confront the issue of existing settlements. It stated that the settlements policy would have grave consequences on attempts to reach a peaceful solution in the Middle East and called upon "the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements".

In March 1980, accepting another report of its Commission, the Council strongly deplored "the continuation and persistence of Israel" in pursuing its policies of settlement. In June, following assassination attempts against the mayors of three Palestinian towns, the Council called upon States not to provide Israel with any assistance to be used specifically in connection with the Israeli settlements. It was concerned that the Jewish settlers in the occupied territories were allowed to carry arms, "thus enabling them to perpetrate crimes against the civilian Arab population".

The Assembly in 1983 requested the Secretary-General to prepare a report dealing comprehensively with the current and future impact of Israeli settlements on the living conditions of Palestinians. The 1984 report was prepared by three consultants engaged by the Secretary-General. It concluded that Israeli policies of occupation, in particular the establishment of settlements, had a negative impact on the social and economic life of Palestinians in the occupied territories.

The effect of the settlements policy was also studied by the Special Committee on Israeli Practices. The Special Committee stated in its 1987 report that the Government of Israel had continued with its policy of physical annexation of the territories. Settlements continued to be "planned, established and expanded". In 1989, the Special Committee reported that acts of violence and aggression by Israeli settlers against the Palestinian population had increased "in both scope and gravity".

RECOGNITION OF PALESTINIAN RIGHTS

During the 1950s and the early 1960s, the international focus of attention was primarily on the problem of Palestinian refugees. Following the 1967 war, the question of Palestine began increasingly to be understood in a broader political context. There was a resurgence of activity by Palestinians to achieve their national rights. The PLO, which had been established in 1964, adopted a new National Charter in 1968. The document stated that the international community had so far failed to discharge its responsibility and called for continuing the fight to achieve Palestinian rights.

In *resolution 242 (1967)*, the Security Council called for a "just settlement of the refugee problem" as one of the conditions for a lasting peace in the Middle East. In December 1969, the General Assembly formally recognized that "the problem of the Palestine Arab refugees has arisen from the denial of their inalienable rights under the Charter of the United Nations and the Universal Declaration of Human Rights". The world body drew the attention of the Security Council to "the grave situation resulting from Israeli policies and practices in the occupied territories" and to Israel's refusal to implement resolutions on the return of the displaced persons. It requested the Council to take proper action.

In September 1974, at the Assembly's twenty-ninth session, 56 Member States proposed that "the question of Palestine" be included as an item in the General Assembly's agenda. They pointed out that while various aspects of the problem had been addressed, the question of Palestine and the status and fate of the Palestinian people had not appeared as a separate item before the Assembly for more than 20 years. Their proposal was accepted and the question of Palestine has been part of the Assembly's agenda since.

General Assembly *resolution 3236 (XXIX)* of 22 November 1974 reaffirmed the inalienable rights of the Palestinian people, which included the right to self-determination without external interference, the right to national independence and sovereignty and the right to return to their homes and property. The rights of the Palestinian people, as set forth by the

Assembly in 1974, have been reaffirmed every year since, most recently through *resolution 43/175* of December 1988.

Also in 1974, the Assembly invited the PLO to participate in its proceedings with observer status as representative of the Palestinian people. The observer status was later extended to cover all United Nations bodies.

The Palestinian Rights Committee in 1976 recommended a programme to enable the Palestinians to exercise their inalienable rights. United Nations Secretary-General Javier Pérez de Cuéllar is seen here (right) at a ceremony organized by the Committee to observe 29 November 1989 as the International Day of Solidarity with the Palestinian People. With him are Absa Claude Diallo (Senegal), who chairs the Committee, and Joseph N. Garba (Nigeria), President of the General Assembly's 1989 session.

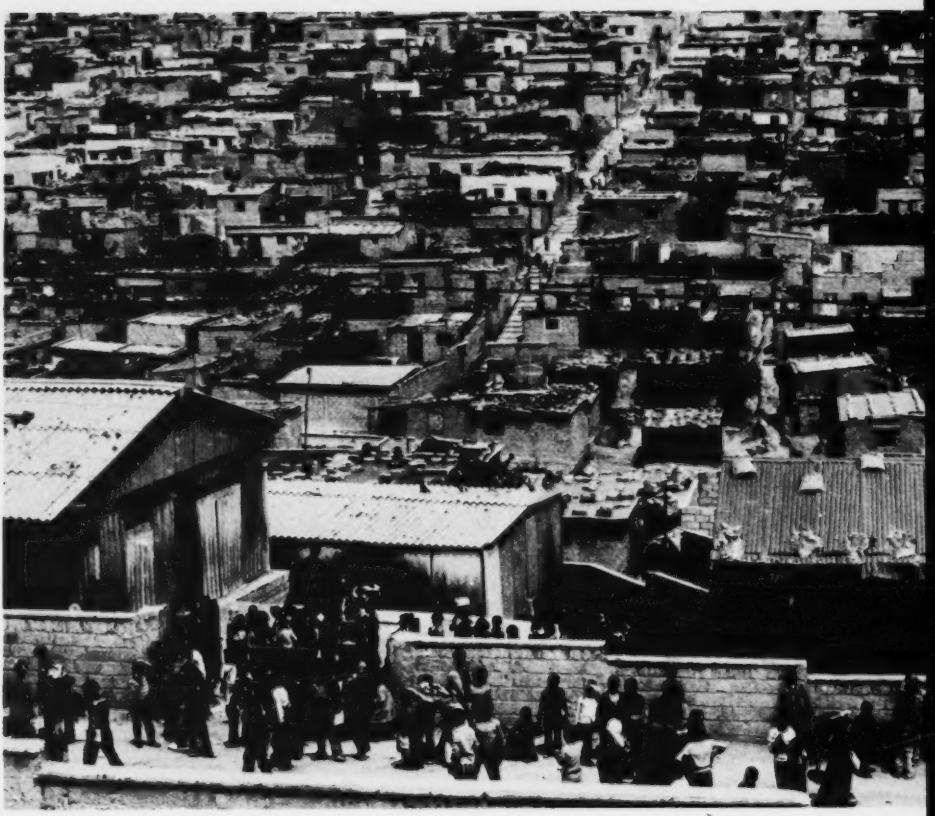
THE PALESTINIAN RIGHTS COMMITTEE

he General Assembly established the Committee on the Exercise of the Inalienable Rights of the Palestinian People in November 1975 and asked it to prepare a programme to enable the Palestinians to exercise their inalienable rights. The Committee's 1976 recommendations were divided into two parts. One concerned the Palestinians' right of return to their homes and property and the other dealt with their rights to self-determination, national independence and sovereignty.

The Security Council discussed the Committee's report but was unable to reach a decision due to a veto by the United States—a permanent member. The matter was taken up by the Council again in 1977 and 1980 but it adjourned on both occasions without taking a decision. The Council so far has not acted on the Committee's recommendations. The Assembly, on the other hand, has endorsed the recommendations as providing a basis for the solution of the question of Palestine.

In 1988 and 1989, the Committee monitored the situation with regard to rights of Palestinians and brought its findings to the notice of the General Assembly and the Security Council. Its programme of seminars, symposia and other activities concentrated on ramifications of the Palestinian uprising and the need for concerted international efforts to attain the inalienable rights of the Palestinian people.

Opening the first meeting of the Committee in 1989 on 26 January, Secretary-General Javier Pérez de Cuéllar said the fact that rights of the Palestinian people were now better understood and supported was to a large extent due to the untiring efforts of the Committee. The Committee's programme of regional seminars, information activities and meetings of non-governmental organizations had contributed effectively in ensuring an increased knowledge of the question of Palestine at the international level, he added.



More than two million refugees—roughly half of the estimated Palestinian population—are today registered with UNRWA. The Agency serves 61 refugee camps, one of which is Marka Camp in Jordan, where more than 28,000 Palestinians live in the normally crowded refugee conditions.

PALESTINE REFUGEES AND UNRWA

The fighting which accompanied the establishment of the State of Israel in 1948 produced almost 750,000 refugees out of the 1.3 million Arabs who lived in Palestine. They fled to areas held by the Arabs. The largest number of refugees went to the West Bank. Others went to the Gaza Strip, Jordan, Lebanon, Syria and even farther afield. The renewed Arab-Israeli conflict of 1967 led to yet another displacement of more than 500,000 Palestinians. Of these, 220,000 were refugees uprooted for a second time.

The General Assembly in November 1948 adopted its first resolution on providing assistance to Palestine refugees. In response to a report by Acting Mediator Bunche that "the situation of refugees is now critical", it established the United Nations Relief for Palestine Refugees (UNRPR). During its brief existence UNRPR channelled emergency assistance to refugees from Palestine through international voluntary agencies. In December, the Assembly adopted *resolution 194 (III)* which provided for a solution of the refugee problem through repatriation or compensation and entrusted the Conciliation Commission for Palestine with the task of implementation.

As hopes for the immediate return of refugees to their homes faded, the General Assembly made more lasting arrangements. In December 1949, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) as a temporary body to succeed UNRPR and to carry out refugee-related activity in collaboration with local governments. The Agency was established without prejudice to the rights of refugees to repatriation or compensation under *resolution 194 (III)*.

UNRWA, from its headquarters in Beirut, in May 1950, took over operations hastily put together by international voluntary agencies. In the first few years of its work UNRWA concentrated on providing immediate relief in the form of food, shelter and clothing. It has adjusted its programme in keeping with changing needs of the refugees. In 1982, for example, the general distribution of basic rations to most refugees was suspended so that scarce resources could be

Without land or property of their own, Palestinian refugees have focused on education as their primary resource and, consequently, they are today among the best educated communities in the Middle East. UNRWA has in recent years shifted its emphasis from providing basic relief to supporting long-term education and health programmes.

directed to education and health programmes which have higher priority in the Agency's current work. Education for Palestinian children accounts for 66 per cent of the Agency's 1989 budget, while 10 per cent is to provide health services and another 10 per cent is to be spent on providing basic relief.

UNRWA's vital humanitarian role was reinforced by recent events in Lebanon and the Israeli-occupied territories.

In 1988, about 2.3 million refugees—almost half of the estimated Palestinian population—were registered with UNRWA. Less than one third of those registered live in refugee camps in the occupied territories and in Arab host countries. The Agency's relief services provide those unable to earn a living with food, blankets, clothing and small cash grants. Under professional guidance of the World Health Organization (WHO), UNRWA provides preventive, curative and rehabilitative medical services for about 1.9 million eligible refugees. Education has been a joint undertaking of UNRWA and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Events following the June 1982 Israeli invasion of Lebanon led the Agency to establish an emergency operation to cope with a crisis faced by Palestinians in that country. The Lebanon emergency created the most difficult working conditions for the Agency, not only because of the political and military complexities involved but also because of the duration of the crisis.

In late 1986 and the winter of 1987, fighting in Beirut caused considerable destruction of refugee housing and UNRWA facilities, creating a massive emergency situation. UNRWA received assistance in the form of cash and goods from Governments, the European Community, voluntary organizations and individuals in response to its special appeals for emergency relief. By the end of 1988, refugees in the damaged Beirut camps began to repair homes with some cash assistance from UNRWA.

Failure to repatriate or compensate refugees as well as their continuing needs through the past four decades has prompted the Assembly to extend UNRWA's mandate on 14 occasions, most recently until 30 June 1990.

SOCIO-ECONOMIC ISSUES AND UNITED NATIONS ASSISTANCE

The bulk of the Palestinian population—estimated at more than five million—live in the occupied territories, within Israel and in neighbouring Arab countries. Almost half of all Palestinians are registered with UNRWA although not all of them live in refugee camps.

According to UNRWA, the "crude birth rate" of the Palestinian refugee population is about 30 per thousand. The average family is made up of six members with a male to female ratio of 51:49. The annual rate of population increase is estimated at 2.8 per cent.

Regarding education, the number of classes, teachers and students in schools within the occupied territories has continued to increase. In the West Bank and the Gaza Strip, there are now more than 1,400 educational institutions, up from about 1,000 in 1968.

Among major institutions of higher learning in the occupied territories are the Beir Zeit, Al-Najah and Catholic universities (all in the West Bank) and the Institute of Islamic Studies in Gaza. The Assembly has repeatedly condemned Israeli action against universities in the occupied territories and restrictions there on academic activities. In 1980, the Assembly requested the Secretary-General to consider establishment under United Nations auspices of a university of arts and sciences in Jerusalem for Palestine refugees.

Education in the occupied territories has been disrupted severely since the beginning of the Palestinian uprising. The Special Committee on Israeli Practices has reported that freedom of education was restricted by closure orders affecting all universities in the occupied territories. That resulted in the loss of an entire academic year.

Besides the purely political dimensions of the situation relating to Israel's occupation, social and economic pressures also engender conflict in the occupied territories. Such pressures have their origin in, among other things, the establishment and expansion of Israeli settlements; the use of scarce water resources; integration of the economies of Israel and the occupied territories; Israeli control over agricultural

production, industry and trade; changes in the structure of employment; and infrastructural planning based on spatial separation of Jewish and Arab areas.

In the generally dry environment of the West Bank and Gaza, water is a scarce economic commodity whose use is one among a number of sources of conflict between the occupation authorities and the Palestinians. Socio-economic pressures in the territories add to the political dimensions of the question of Palestine. Picture shows a girl from the town of Ramallah standing by her family field.

Neal Cassidy/Impact Visuals

The Assembly, in its resolutions, has placed special emphasis on the health and education of Palestinian children. The societal concerns of Palestinians have also been addressed by the Economic and Social Council and other United Nation bodies.

In response to criticism, the Israeli Government has held that there has been a substantial improvement in living standards in the occupied territories, a narrowing of the income gap between Israel and the occupied territories, extension of social benefits to those officially engaged and an absence of discrimination.

Responding to calls by the General Assembly, various components of the United Nations system became operationally involved in providing economic and social assistance to Palestinians. Given its mandate, UNRWA is foremost among United Nations agencies in the field. The United Nations Development Programme (UNDP) began its Special Programme of Assistance for the Palestinian People in 1980. UNDP has special arrangements to assist other United Nations agencies, such as WHO, ILO and UNESCO, in carrying out projects in the occupied territories. By mid-1989, the UNDP had more than 30 projects underway or completed, including large-scale sewage facilities, water delivery systems for villages, buildings and equipment for hospitals and clinics, business development support, technical and professional training courses and fellowships, institutions for children and the handicapped, assistance to municipalities, research and training centres and women's institutions.

The focus of the United Nations Children's Fund (UNICEF) is on helping Palestinian mothers and children. Its programmes emphasize child survival and development, health, water supply, pre-school, formal and non-formal education and promotion of income-generating activities. In the field of industrial assistance, UNIDO has concentrated on establishing or re-activating industrial production in the occupied territories. ILO specialists have advised UNDP on assistance projects related to technical education and industrial management.

Starting in the mid-1970s, fighting between various factions and militias within Lebanon, as well as Israeli military action, took a heavy toll among the Lebanese and the more than 350,000 Palestinians in that country. Picture shows what remained of the Shatila refugee camp in Beirut after weeks of fierce fighting over the winter of 1987.

THE LEBANON EMERGENCY

Lebanon increasingly became the focus of conflict in the Middle East in the middle and late 1970s. Many of those who fled the northern and coastal regions of Palestine in 1948 had found refuge in camps around the Lebanese towns of Tyre, Sidon and Beirut. Another wave of Palestinians came in from Jordan in 1970 and unrest between opposing forces steadily increased in southern Lebanon. The situation along the Israeli-Lebanese border had further deteriorated by early 1972. Israel, stating that it was retaliating against raids by Palestinian commandos into its territory, attacked refugee camps in Lebanon. At the request of Lebanon, a cease-fire observation operation was set up by UNTSO along the border in April 1972.

In 1975-1976, a civil war in Lebanon resulted in heavy casualties and suffering among the Lebanese and Palestinians. UNRWA was forced to move its headquarters out of Beirut. Even after the civil war, the south of Lebanon remained tense. Israeli forces invaded southern Lebanon in March 1978 following a Palestinian commando raid into Israel. The Security Council called for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its recognized boundaries and asked Israel to withdraw its forces from Lebanese territory. At the request of Lebanon, the Council also established the United Nations Interim Force in Lebanon (UNIFIL), with a mandate to confirm the withdrawal of Israeli forces, restore international peace and security and assist the Lebanese Government to regain effective authority over the south of the country. The Israeli forces withdrew in four phases, and on 13 June 1978 they handed over their positions, not to UNIFIL, but to Christian and associated militia which had Israeli support.

Southern Lebanon remained volatile after the Israelis withdrew, with frequent exchanges of fire between the Christian militias and the Israeli Defence Forces, on the one hand, and armed elements of the PLO and the Lebanese National Movement on the other. Efforts by the United Nations and the United States led to a *de facto* cease-fire in July 1981, and the area remained generally quiet until May 1982. Then,

following attacks on Israeli diplomats in London and Paris, Israel carried out air strikes against PLO targets in Lebanon. Fighting began once again between the Israeli and PLO forces.

On 5 June, in *resolution 508 (1982)*, the Security Council called for a truce within Lebanon and on the Israel-Lebanon border. The PLO reaffirmed its commitment to stop all military operations across the border and Israel informed the Secretary-General that the Council's resolution would be brought before the Israeli Cabinet. The next day, on 6 June, Israeli forces invaded Lebanon. UNIFIL positions in southern Lebanon were either overrun or bypassed. The Security Council, in *resolution 509 (1982)*, reiterated its call for a cease-fire and demanded that Israel withdraw its military forces "forthwith and unconditionally". The invasion continued and, eventually, the Israeli forces reached and surrounded Beirut.

Continuing to meet throughout June, July and August of 1982, the Council called for respect of the territorial integrity, sovereignty and political independence of Lebanon and of the rights of the Lebanese and Palestinian civilian populations there. The Council also demanded that Israel lift its blockade of Beirut so that civilians in the city could be supplied. It authorized the deployment of United Nations military observers, known as Observer Group Beirut, to monitor the situation in and around Beirut.

Under the circumstances prevailing, the seventh emergency special session of the General Assembly (first called in July 1980) was resumed in August 1982. Alarmed by the worsening situation in the Middle East resulting from Israel's acts of aggression against Lebanon and the Palestinians there, the Assembly decided to support fully the provisions of Council *resolutions 508* and *509 (1982)*, and condemned Israel for not complying with those resolutions.

In August, during the siege of West Beirut by the Israeli forces, France, Italy and the United States, upon the request of the Lebanese Government, sent to the city a multinational force to assist in the orderly and safe departure of Palestinian armed personnel from Lebanon. The evacuation of Palestinian forces from the Beirut area was completed on 1 September 1982 and the multinational force was withdrawn over the next two weeks. Tension increased greatly with the assassination,

on 14 September 1982, of Lebanon's President-elect Bashir Gemayal. The next day, units of the Israeli Defence Forces (IDF) moved forward into West Beirut. On 17 September, hundreds of Palestinian civilians, including women and children, were massacred in the refugee camps of Sabra and Shatila by Lebanese Christian militias which had entered West Beirut with the Israeli forces.

Upon receiving reports of the incident, the Security Council condemned the "criminal massacre of Palestinian civilians in Beirut". It asked the Secretary-General to increase the number of United Nations observers in the vicinity of Beirut from 10 to 50 and also requested him to consider additional steps, including the possible deployment of United Nations forces. The commander of UNIFIL made contingency plans to despatch some 2,000 members of his force to Beirut, but the Government of Lebanon decided instead to request the return of the multinational force.

Contingents from France, Italy and the United States went back to Beirut in late September 1982. They were later joined by a small unit from the United Kingdom. The multinational force encountered various difficulties in its designated role and Italy, the United Kingdom and the United States withdrew their personnel from the city in the first two months of 1984. The departure of the French troops on 31 March 1984 marked the end of the 19-month multinational effort.

Towards the end of 1983 the focus of tension shifted to northern Lebanon around the city of Tripoli. Clashes broke out between fighters loyal to Yasser Arafat, Chairman of the Executive Committee of the PLO, and dissident factions, causing widespread suffering among Palestinian civilians. An agreement was finally reached between the parties, which provided for a cease-fire and the evacuation of Chairman Arafat and the armed elements of the PLO loyal to him. In response to a request by him, the Secretary-General decided on humanitarian grounds to authorize the flying of the United Nations flag on ships which would evacuate the PLO forces from Tripoli. The President of the Security Council later confirmed that the Secretary-General's decision had the support of the Council members. The evacuation operation was carried out by five Greek vessels on 20 December 1983. Since then, the PLO has maintained its headquarters in Tunis.

In January 1985, the Israeli Government announced a plan for the unilateral redeployment of Israeli forces in three phases. By 10 June, the Israeli Government indicated that while all combat units had been withdrawn from Lebanese territory, some Israeli troops would continue to operate in a "security zone" and act as advisers to the so-called "South Lebanon Army" (SLA). This remains Israel's policy.

The Security Council has regularly extended UNIFIL's mandate and the force continues to operate in southern Lebanon. In 1989, UNIFIL had a strength of 5,800 personnel from nine countries: Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden.

The Special Committee on Israeli Practices, which has for two decades monitored the human rights situation in the occupied territories, reported in 1989 that there had been "a further deterioration . . . of an already grave human rights situation". In the picture, a Palestinian in Beach Camp, Gaza Strip, is questioned by an Israeli patrol.

HUMAN RIGHTS IN THE OCCUPIED TERRITORIES

Concern for the human rights of civilian population in the territories occupied by Israel during the 1967 war was first expressed in Security Council *resolution 237 (1967)*, which, among other things, called upon the Governments concerned to scrupulously respect the humanitarian principles contained in the 1949 Fourth Geneva Convention. (The Convention, on the protection of civilian persons in time of war, stipulates that military occupation is to be considered a temporary situation, giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territory. It forbids the forcible transfer of inhabitants out of an occupied territory and the movement into the territory of the civilian population of the occupying Power. The Convention also deals with other matters, such as the treatment to be accorded to the protected persons of an occupied territory and to those under detention; it prohibits the imposition of collective penalties.)

In December 1968, the General Assembly established a three-member Special Committee to Investigate Israeli Practices Affecting Human Rights of the Population of the Occupied Territories and asked it to submit reports as soon as possible and whenever the need arose. The Israeli Government, since the very beginning, refused to allow the Special Committee to visit the occupied territories to conduct investigations. It has maintained that the Special Committee's establishing resolution was discriminatory in character and attempted to prejudge allegations the Special Committee was supposed to investigate. It was the Israeli view that the resolution had been motivated exclusively by political and propaganda considerations and that the Special Committee's mandate evaded altogether the plight of Jewish residents in certain Arab countries whose human rights were being trampled upon.

The Chairman of the Special Committee is presently Daya Perera, Permanent Representative of Sri Lanka to the United Nations. The other two members are Alioune Sene, Senegal's Permanent Representative to the United Nations Office at

Geneva, and Dragan Jovanic, a professor of law in the University of Rijeka, Yugoslavia.

Between 1970 and 1989, 21 reports of the Special Committee were submitted to the General Assembly. Without direct access to the occupied territories, the members have had to base their reports on visits to the neighbouring States and interviews with individuals from the territories. Following the restitution of the town of Quneitra to Syria in 1974 and Sinai to Egypt in 1982, the territories presently considered by the Special Committee in its work are the West Bank (including East Jerusalem), the Gaza Strip and the Syrian Golan Heights.

The latest report of the Special Committee deals with the year preceding 25 August 1989. It contains a detailed review of the situation in the occupied territories, including incidents linked to the *intifadah*, administration of justice, treatment of Palestinian civilians, measures affecting fundamental freedoms and the activities of Israeli settlers.

In his introduction to the report, Chairman Perera states that the information contained in the report "reflects the further deterioration . . . of an already grave human rights situation", as a result of 20 months of continuous violence and unrest in the occupied territories. The uprising of the Palestinian population, "motivated by an accumulation of harassment, humiliation and frustration," stemmed from the annexation policy implemented by the Government of Israel since 1967.

According to the report, during the previous year, Israel had continued its policy of annexation through such measures as establishment of settlements, expropriation of property, transfer of Israeli citizens to the occupied territories and encouraging or compelling Palestinians to leave their homeland. Such actions violated the obligations of Israel as State party to the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

The reaction of the Israeli authorities to the wave of disturbances and protest waged by the civilians against occupation had been increasingly severe, states the report. Such measures had clearly failed to calm the situation in the occupied territories. On the contrary, they had led to yet more violence and suffering and had resulted in great losses among the civilian population. Practically every day, serious incidents

were reported between civilians and Israeli defence forces in different parts of the occupied territories. The climate was one of daily confrontation, with numerous cases of severe beatings, the breaking of bones and casualties due to tear-gas. In addition to physical harm, the civilian population also suffered from dramatic psychological effects. Young children were particularly vulnerable. On them, the impact of violence would be difficult to erase.

The Special Committee reported that the occupation authorities had been taking increasing recourse to various forms of collective reprisal, such as demolition of houses on a very large scale, imposition of prolonged curfews and economic sanctions including heavy taxes. Acts of violence and aggression by Israeli settlers against the Palestinian population had also increased, "in both scope and gravity".

In the opinion of the Special Committee, the overall picture drawn from the evidence and information examined by it "reveals a very alarming situation and a further deterioration in the level of enjoyment of basic human rights and fundamental freedoms by the civilian population." The provisions of the Fourth Geneva Convention, which remained the main international instrument in humanitarian law that applied to the occupied territories, continued to be disregarded and violated. Urgent measures were required to ensure an effective protection of the basic rights and freedoms.

The Palestinian uprising, intifadah, began spontaneously in December 1987 and focused international attention on the opposition to Israeli occupation and the national aspiration of Palestinians. Picture shows Palestinian demonstrators being dispersed by tear-gas on Nablus Road, East Jerusalem, in December 1988.

Neal Cassidy/Impact Visuals

INTIFADAH

In early December 1987, following an incident in Gaza, the Palestinians of the West Bank and Gaza rose against the Israeli occupation in spontaneous protest. The Palestinians continued their *intifidah* (''uprising'') throughout 1988 and 1989, focusing unprecedented international attention on their national aspirations and on their unequivocal opposition to the occupation.

The Palestinian Rights Committee, the Special Committee on Israeli Practices and UNRWA followed closely the tense situation in the occupied territories. Their reports describe difficulties in daily life due to the imposition of curfews, closure of schools and universities, lack of adequate medical facilities, demolition of homes, restrictions on movement and the storming of houses and hospitals by the Israeli military.

The Special Committee on Israeli Practice reported on the disproportionate and unjustified use of force by Israeli authorities on the streets and in prisons. It interviewed individuals who described being victimized in sham trials and tortured in jails, suffering from lethal use of tear-gas, receiving bullet wounds and being subjected to the ''breaking of bones'' policy introduced to deal with stone-throwing youths.

During 1989, the Palestinian Rights Committee reported that the repression of the *intifadah* by Israel was becoming increasingly harsh. Palestinians were killed by gunfire, tear-gas, beatings and other violent action. Thousands were injured in demonstrations. Others were placed under administrative detentions for extended periods, and houses were demolished or sealed.

Referring to the *intifadah*, Mr. Pérez de Cuéllar said in his annual report to the General Assembly in September 1989 that despite appeals of the international community, widespread violations of human rights persisted. The political aspects of the problem had to be addressed if an end was to be put to confrontations, which occurred almost daily throughout the occupied territories, he added.

The General Assembly, in 1974 and every year since, has affirmed the inalienable rights of the Palestinian people to self-determination, independence and sovereignty. The question of Palestine, the Assembly declared again at its 1989 regular session, is at "the core of the conflict in the Middle East"

SEARCH FOR A PEACEFUL SETTLEMENT

hroughout the 1970s and into the 1980s efforts were made within and without the United Nations to resume the negotiating process in order to resolve the diplomatic deadlock in the Middle East.

When another Arab-Israeli war broke out in October 1973, the Council unanimously adopted *resolution 338 (1973)*, calling for an immediate truce and cessation of all military activity. The resolution asked the parties concerned to begin implementation of *resolution 242 (1967)* "in all of its parts" immediately after a cease-fire. It also called on the parties to begin, immediately and concurrently with the cease-fire, negotiations under appropriate auspices for establishing a just and durable peace in the Middle East.

Subsequently, an International Peace Conference under United Nations auspices and joint chairmanship of the Soviet Union and the United States was convened in December 1973. Egypt, Israel and Jordan were represented in the Geneva Conference, but Syria refused to take part. After three meetings the Conference adjourned *sine die*. Before adjourning, however, it agreed that work would continue through a Military Working Group. The Working Group played an important role in agreements on the disengagement of forces between Egypt and Israel in January 1974 and October 1975. It was also involved in the conclusion of a disengagement agreement between Syria and Israel in May 1974. These agreements were carried out with the assistance of the United Nations peacekeeping forces: UNEF-II in the Egypt-Israel sector and UNDOF in the Israel-Syria sector.

Following the 1973 war, the United Nations sponsored an international peace conference in Geneva. It was chaired jointly by the Soviet Union and the United States and attended by Egypt, Israel and Jordan. The vacant seating on the right was meant for Syria, which did not participate.
Robert Cohen/Black Star

From 1974 to 1977, efforts were made at various levels to promote an early resumption of the negotiation process. The Security Council repeatedly requested the parties concerned to implement *resolution 338 (1973)*. Calls for resuming the Geneva Peace Conference were made annually by the General Assembly all the way up to 1979. In early 1977, after a visit to the Middle East, the Secretary-General reported to the Security Council that fundamental differences between the parties had prevented agreement on the resumption of the Conference. The most immediate difficulty had been the question of the participation by the PLO. The Secretary-General observed that a determined effort was necessary to overcome mutual distrust and fears about the consequences of making compromises and concessions. The attitude of the PLO towards Israel as reflected in the Palestine National Charter, the attitude of Israel towards the PLO and the nature and context of the Palestinian entity would have an important bearing on the prospects of success, he reported.

Following a visit by Egyptian President Anwar al-Sadat to Jerusalem in November 1977, direct negotiations were initiated between Egypt and Israel under the auspices of the United States. Those negotiations led to the signing of a peace treaty between the two countries in March 1979. The treaty led to the withdrawal of Israeli forces from the Sinai in April 1982.

On 1 September 1982, following the Israeli invasion of Lebanon and the evacuation of PLO fighters from Beirut, United States President Ronald Reagan called for self-government by the Palestinians of the occupied territories in association with Jordan, saying that such an association offered the best opportunity for "a durable, just and lasting peace". He also called for a freeze in the establishment of Israeli settlements.

That same month, the Twelfth Summit Conference of the Arab League at Fez, Morocco, adopted a Declaration calling for: the withdrawal of Israel from territories occupied in 1967, dismantling of Israeli settlements in the occupied territories, reaffirmation of the Palestinian right of self-determination and establishment of an independent Palestinian state after a transitional period under the control of the United Nations. The Fez Declaration also called for the Security Council to guaran-

tee peace "among all States of the region, including the independent Palestinian State". Later that year, the Assembly welcomed the Arab peace plan.

In 1981, the General Assembly, concerned that a just solution to the question of Palestine had not been achieved, decided to convene an international conference on the subject. The International Conference on the Question of Palestine took place at the United Nations Office in Geneva from 29 August to 7 September 1983. It was attended by representatives of 137 States—117 as full participants and 20 as observers—as well as by the PLO.

The Conference adopted a Declaration on Palestine by acclamation and also approved a Programme of Action for the Achievement of Palestinian Rights. The Programme recommended measures to be taken by States, United Nations organs and intergovernmental and non-governmental organizations. The Conference considered it essential that an international peace conference on the Middle East be convened under United Nations auspices with participation on an equal footing of all parties to the Arab-Israeli conflict.

During its regular session of 1983, the General Assembly endorsed the Declaration and welcomed the Geneva Conference call for an international peace conference on the Middle East. The Assembly invited all parties to the Arab-Israeli conflict, including the PLO, as well as the Soviet Union and the United States and other concerned States to participate in such a peace conference on an equal footing with equal rights. The Secretary-General was asked to urgently undertake preparatory measures to convene the conference, in consultation with the Security Council.

Food supplies being unloaded in Amman in 1952 during the early days of United Nations assistance. Since then, programmes to assist the Palestinian people have become increasingly broad-based as the various United Nations development agencies intensify their efforts.

By its *resolution 44/40*, adopted in December 1989, the Assembly affirmed "the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict" and called for the "convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council *resolutions 242 (1967)* of 22 November 1967 and *338 (1973)* of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination".

A great deal of thought and effort has been devoted in recent years, both within and outside the United Nations, to seeking agreement on the principle of an international peace conference on the Middle East. For several years now, in compliance with his reporting responsibilities under various General Assembly resolutions, the Secretary-General has documented the positions of the Security Council members and of all the concerned parties, including the PLO, with regard to the convening of the conference.

In his latest report on the subject, presented to the Assembly at its 1989 session, the Secretary-General set out the communications he received from the concerned parties regarding the convening of the international peace conference. It was clear from the communications, he stated, that sufficient agreement did not exist, either within the Security Council or among the parties to the conflict, to permit its convening. This was particularly unfortunate since the latest resolution adopted by the Assembly concerning the international conference had received much wider support than earlier resolutions. The Secretary-General said, "I am deeply worried by the fact that time is passing and that opportunities that have emerged in the past 12 months might slip away".

The territory presently occupied and administered by Israel includes the Gaza Strip, the West Bank and the Syrian Golan Heights. The West Bank and Gaza are bounded by the armistice lines negotiated by the United Nation Acting Mediator in 1949; they were overrun in 1967.

UNITED NATIONS ACTIVITIES IN 1988-1989

The United Nations continued in 1988 and 1989 with its various activities related to the question of Palestine. Those included the continuing presence of United Nations peacekeeping forces in the Middle East and initiatives taken by the Secretary-General as well as the work of such bodies as the Economic and Social Council, Commission on Human Rights, Palestinian Rights Committee, Special Committee on Israeli Practices and UNRWA. Activities in 1988 culminated with the General Assembly's debate on the question of Palestine and the situation in the Middle East and the subsequent adoption of resolutions.

The Security Council met frequently in 1988 and 1989 to consider matters pertinent to the Palestine question. On 5 January 1988 the Council, in *resolution 607*, unanimously called on Israel to "refrain from deporting any Palestinian civilians from the occupied territories" and "strongly" requested it, as the occupying Power, to abide by obligations arising from the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War. It affirmed again that the Geneva Convention was applicable to Palestinian and other Arab territories, including Jerusalem, occupied by Israel since 1967. On 14 January, the Council adopted *resolution 608*, in which it expressed its "deep regret" that Israel had, in defiance of the 5 January resolution, deported Palestinian civilians from the occupied territories. It called on Israel to rescind its order to deport Palestinian civilians and to ensure the safe and immediate return of those already deported.

On 26 August 1988, the Security Council issued a statement expressing grave concern at the continued deterioration of conditions in the occupied territories, particularly a serious situation resulting from the closing off of areas, the imposition of curfews and the consequent increase in the numbers of people injured or killed. Council members were "profoundly concerned" with the persistence of Israel in continuing to deport civilians.

By *resolution 636* of 6 July 1989 and *resolution 641* of August 1989, the Security Council deplored the continuing

deportation of Palestinian civilians. It called upon Israel to ensure the safe and immediate return to the occupied territories of those deported and to desist from deporting any other Palestinian civilians.

During its 1988 regular session, the General Assembly met in Geneva to consider the question of Palestine. The debate was launched by Yasser Arafat, Chairman of the Executive Committee of the PLO, who referred to the proclamation issued earlier that year by the Palestine National Council declaring an independent Palestinian state.

In an unprecedented move, the Assembly took its 1988 debate on the question of Palestine to Geneva after the United States denied Mr. Arafat an entry visa which would have enabled him to participate in that debate in New York. The debate was launched on 14 December 1988 by Mr. Arafat. In his statement, he reviewed decisions taken by the PLO's governing body—the Palestine National Council—on 15 November in Algiers, including the proclamation of an independent Palestinian state in Palestine. Mr. Arafat stressed the need for acceptance of equality of the parties to the Arab-Israeli conflict and for recognition of their equal rights on a reciprocal basis. He said the PLO rejected terrorism and called on Israel to come to the United Nations to make peace.

In a press conference the following day, Mr. Arafat reiterated "acceptance of *resolutions 242* and *338* as the basis for negotiations with Israel within the framework of the international conference". He also recognized "the right of all parties concerned in the Middle East conflict to exist in peace and security . . ., including the States of Palestine, Israel and other neighbours, according to *resolution 242*". Furthermore, he stated "we totally and absolutely renounce all forms of terrorism, including individual, group and state terrorism".

At the end of its meeting in Geneva, the General Assembly affirmed "the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict" and called once again for the convening of an international peace conference on the Middle East. The Assembly also reaffirmed the principles upon which the achievement of a comprehensive peace should be based. These principles included: "(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories; (b) Guaranteeing arrangements for security of all States in the region, including those named in *resolution 181 (II)* of 29 November 1947, within secure and internationally recognized boundaries; (c) Resolving the problem of the Palestine refugees in conformity with General Assembly *resolution 194 (III)* of 11 December 1948, and subsequent relevant resolutions; (d) Dismantling the Israeli settlements in the territories occupied since 1967; and (e) Guaranteeing freedom of access to Holy Places, religious buildings and sites."

In its *resolution 43/177* of 15 December 1988, the Assembly acknowledged the proclamation and decided that the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the PLO within the United Nations system. (Shortly after the proclamation was issued, and after receiving assurances from Mr. Arafat regarding the PLO's position on various matters, the United States Government agreed to enter into dialogue with the PLO, adding a positive element to the negotiating process.)

During its 1989 regular session, the General Assembly agreed to a request by the Arab Group for a special meeting on the Palestinian uprising in connection with consideration of the report of the Special Committee on Israeli Practices. That meeting took place on 6 October 1989, and on the same day a resolution was adopted condemning Israeli violation of the human rights of the Palestinians in the occupied territories.

In accordance with its mandate, during 1988 and 1989, the Palestinian Rights Committee kept the situation in Palestine under constant review. Various activities were carried out under the Committee's auspices to enhance world-wide understanding of the Palestine question, particularly in the context of the *intifadah*. The Committee was assisted by a special division of the United Nations Secretariat—the Division for Palestinian Rights.

Regional seminars addressed by experts took place in Africa, Asia, Latin America and North America. International meetings of non-governmental organizations were convened in Geneva and Vienna. Regional symposia in Cairo, Geneva, Kuala Lumpur, New Delhi, New York and Vienna brought together representatives of non-governmental organizations. Since 1978, the Palestinian Rights Committee has observed every 29 November as the International Day of Solidarity with the Palestinian People.

The Commission on Human Rights adopted several resolutions related to the situation in the occupied Arab territories during its forty-fifth session in Geneva from February to March 1989. It welcomed the declaration of the State of Palestine and considered the 14 November 1988 decision of the Palestine National Council a prerequisite for establishment

of a just and lasting peace in the Middle East. The Commission called upon Israel to comply with its obligations under the Charter and to withdraw from the territories occupied since 1967. It also affirmed that the *intifadah* of the Palestinian people was a form of legitimate resistance.

The 1989 report of the Special Committee on Israeli Practices was considered by the General Assembly during its forty-fourth session. The three members of the Committee went on a two-week field mission to the Middle East once again in May and June 1989. They visited Damascus, Amman and Cairo and reviewed the latest developments relating to the human rights situation in the occupied territories.

In a statement to the Palestinian Rights Committee on the occasion of the International Day of Solidarity with the Palestinian People, 29 November 1989, Secretary-General Javier Pérez de Cuéllar had the following to say:

"The Palestinian *intifadah* will soon enter its third year. Born of the frustration and despair of a population that has lived under Israeli occupation for more than 22 years, the message of the *intifadah* remains direct and unequivocal, namely that this occupation will continue to be rejected, and that the Palestinian people will remain committed to the exercise of their legitimate political rights, including self-determination.

"For years I have stated that few international issues are as complex or potentially dangerous as the Arab-Israeli conflict of which the Question of Palestine is the core. This remains so today. My regret at the lack of progress in resolving this question is all the greater given the significant steps that have been taken towards the resolution of other regional disputes. It seems to me imperative, therefore, that a fully concerted and well-co-ordinated effort be made by the international community to help the parties enter into an effective negotiating process that will lead to a comprehensive, just and lasting peace in the Middle East. The continuing suffering of the Palestinian population makes it all the more urgent that such a process be launched. For my part, I shall do all that I can to discharge the responsibilities entrusted to me..."

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For nearly four decades Palestinians have remained a deprived people, most of them living makeshift lives away from ancestral soil. A whole generation has grown and matured, with many knowing nothing other than life in the refugee camps. The painting reveals a child's view of such a life.

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